UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23599
14 February 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 FEBRUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Australia to the United Nations presents his compliments to the Secretary-General of the United Nations and in reference to the Secretary-General's Note of 28 January 1992, in which the Secretary-General drew attention to resolution 733 (1992) of the United Nations Security Council and specifically to paragraph 5 of this resolution, has the honour to inform the Secretary-General as follows:

Australia has complied with its obligations in relation to paragraph 5 of resolution 733 (1992), through the administration of existing Australian legislation and regulations relating to the export from Australia of defence and defence-related goods.

The Australian Government maintains general controls on the export from Australia of defence and defence-related goods through provisions of the Customs Act 1901 and associated Customs (Prohibited Exports) Regulations. These controls are administered by the Minister for Defence, and goods requiring the Minister's permission are specified in Schedule 13 of the Customs (Prohibited Exports) Regulations. Australian Government policy, as specified in Government guidelines published in 1989, is to prohibit the export of defence and defence-related goods to certain destinations, including "to countries against which the United Nations Security Council has imposed a mandatory arms embargo, or which are employing armed forces in a manner contrary to a resolution of the United Nations Security Council, or contrary to the provisions of international instruments to which Australia is a party". Since United Nations Security Council resolution 733 (1992) imposes an arms embargo on Somalia, in accordance with Australian Government controls on exports of defence and related goods, exports of such goods to Somalia are prohibited.

The Australian Government also maintains specific controls over the export to all destinations of nuclear and related goods, toxicological agents of a biological, chemical or radioactive nature designed or adapted for

warfare, and associated production and dissemination equipment, and chemical weapons precursors through the Customs Act and the Customs (Prohibited Exports) Regulations. These controls would prevent the export of the foregoing items from Australia to Somalia.